



Express Mail No.:

Interference No. 105,168

Paper No. ____

Filed on behalf of Party KROCZEK

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES
(Administrative Patent Judge Linda R. Poteate)

RICHARD KROCZEK

Junior Party,
Application 09/509,283, 09/823,307, and 09/972,524

v.

TAKUYA TAMATANI and
KATSUNARI TEZUKA

Senior Party,
Application 09/383,551, 09/561,308, and 10/301,056

Patent Interference No. 105,168

AMENDMENT UNDER 37 CFR §§ 1.633(c) AND (i)
(In Connection With U.S. Application No. 09/972,524)

Kroczek EXHIBIT 2067
Kroczek v. Tamatani
Interference 105,168

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Kroczeck, Richard Confirmation No.: 8232
Serial No.: 09/972.524 Art Unit: 1644
Filed: October 4, 2001 Examiner: Roark, Jessica H.
For: METHODS FOR TREATMENT OF Attorney Docket No.: 7853-240
ASTHMATIC DISORDERS

AMENDMENT IN CONNECTION WITH
PRELIMINARY MOTION UNDER 37 CFR §§ 1.633(c) AND (i)

MAIL STOP INTERFERENCE
Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

Sir:

This Amendment is being filed in during the pendency of Patent Interference No. 105,168 in conjunction with Kroczeck Preliminary Motion No. 16 filed pursuant to 37 CFR §§ 1.633(c) and (i), and is responsive to Tamatani's Preliminary Motions filed on May 10, 2004. If Kroczeck Preliminary Motion No. 16 is granted, Applicant respectfully requests entry of this Amendment and consideration of the Remarks made herein in connection with the above-captioned application. Applicant submits herewith an Amendment Fee Transmittal Sheet.

AMENDMENTS TO THE CLAIMS are reflected in the listing of the claims which begins on page 2 of this paper.

REMARKS begin on page 4 of this paper.